

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

**FRANK P. ZABROSKY, JR.
VICTORIA E. ZABROSKY**

Case No. 19-11164-JCM

Chapter 13

Debtor(s).

Related to Doc. No. 60

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by: the debtors.
- ☐ a motion to lift stay
as to creditor _____
- ☐ Other: _____

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Chapter 13 Plan dated _____
- ☒ Amended Chapter 13 Plan dated December 14, 2022.

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtor(s) Plan payments shall be changed from \$2,895.00 to \$2824.00 per month, effective immediately; and/or the Plan term shall be changed from _____ months to _____ months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: No additional payments shall be made to Capital One in light of full payment by debtors' insurer per this Court's order of August 31, 2023, Doc. No. 58.

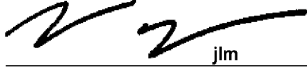
IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 13th day of September, 2023.

Dated: September 13, 2023



John C. Melaragno, Judge
United States Bankruptcy Court

SIGNED
9/13/23 10:14 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Stipulated by:

/s/ Gary V. Skiba
Gary V. Skiba, Esq.
Counsel to Debtors

Stipulated by:

/s/ Owen Katz
Counsel to Chapter 13 Trustee

cc: All Parties in Interest to be served by Clerk

In re:
Frank P. Zabrosky, Jr.
Victoria E. Zabrosky
Debtors

Case No. 19-11164-JCM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: auto

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Date Rcvd: Sep 13, 2023

Form ID: pdf900

Total Noticed: 25

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 15, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Frank P. Zabrosky, Jr., Victoria E. Zabrosky, 3631 Julie Court, Erie, PA 16506-6009
cr	+ Commonwealth of Pennsylvania, Department of Labor and Industry, Collections Support Unit, 651 Boas Street, Room 925, Harrisburg, PA 17121-0751
15161858	+ Law Offices of Shapiro & DeNardo, LLC, 3600 Horizon Drive, Suite 150, King of Prussia, PA 19406-4702
15161861	+ OneMain Financial, 2173 West 12th St., Erie, PA 16505-4804

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Sep 13 2023 23:52:08	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: resurgentbknotifications@resurgent.com	Sep 13 2023 23:51:08	PYOD LLC, c/o Resurgent Capital Services, PO Box 19008, GREENVILLE, SC 29602-9008
15161855	Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 13 2023 23:52:16	Capital One, PO Box 71083, Charlotte, NC 28272-1083
15161856	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Sep 13 2023 23:51:02	Capital One Auto Finance, 7933 Preston Road, Plano, TX 75024-2302
15168526	+ Email/PDF: acg.acg.ebn@aisinfo.com	Sep 13 2023 23:51:36	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15176414	Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 13 2023 23:51:45	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15161857	Email/PDF: creditonebknotifications@resurgent.com	Sep 13 2023 23:51:08	Credit One, PO Box 60500, City of Industry, CA 91716-0500
15178469	Email/Text: G06041@att.com	Sep 13 2023 23:39:00	Directv, LLC, by American InfoSource as agent, PO Box 5008, Carol Stream, IL 60197-5008
15179887	+ Email/Text: kslater@eriefcu.org	Sep 13 2023 23:38:00	Erie Federal Credit Union, 3503 Peach St., Erie, PA 16508-2741
15186611	Email/Text: JCAP_BNC_Notices@jcap.com	Sep 13 2023 23:39:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15166957	Email/PDF: resurgentbknotifications@resurgent.com	Sep 13 2023 23:51:02	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15192002	+ Email/PDF: ais.midfirst.ebn@aisinfo.com	Sep 13 2023 23:51:36	MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
15161859	Email/PDF: ais.midfirst.ebn@aisinfo.com	Sep 14 2023 00:02:51	Midland Mortgage, A division of Mid First Bank, PO Box 26648, Oklahoma City, OK 73126-0648
15161860	+ Email/Text: nsm_bk_notices@mrcooper.com	Sep 13 2023 23:38:00	Mr. Cooper, 8950 Cypress Waters Blvd., Coppell,

District/off: 0315-1

User: auto

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15180991	Email/PDF: cbp@omf.com	Sep 13 2023 23:52:33	TX 75019-4620 ONEMAIN, P.O. BOX 3251, EVANSVILLE, IN 47731-3251
15178978	Email/PDF: cbp@omf.com	Sep 13 2023 23:51:33	ONEMAIN FINANCIAL SERVICES, INC., PO BOX 3251, EVANSVILLE, IN 47731-3251
15161862	Email/PDF: cbp@omf.com	Sep 13 2023 23:50:55	OneMain Financial, PO Box 64, Evansville, IN 47701-0064
15189486	+ Email/PDF: resurgentbknotifications@resurgent.com	Sep 13 2023 23:51:01	PYOD, LLC, Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
15184731	Email/Text: BNCnotices@dcmsservices.com	Sep 13 2023 23:38:00	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15185296	Email/Text: BNCnotices@dcmsservices.com	Sep 13 2023 23:38:00	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15182389	Email/PDF: ebn_ais@aisinfo.com	Sep 13 2023 23:51:11	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 21

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MidFirst Bank

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 15, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 13, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor MidFirst Bank bnicholas@kmlawgroup.com
CSU - OUCTS, PA Labor & Industry	ra-li-uets-bankpitts@state.pa.us
Gary V. Skiba	on behalf of Plaintiff Frank P. Zabrosky Jr. gskiba@marshlaw.com, DGeniesse@marshlaw.com;rose227@hotmail.com
Gary V. Skiba	on behalf of Debtor Frank P. Zabrosky Jr. gskiba@marshlaw.com, DGeniesse@marshlaw.com;rose227@hotmail.com
Gary V. Skiba	on behalf of Joint Debtor Victoria E. Zabrosky gskiba@marshlaw.com DGeniesse@marshlaw.com;rose227@hotmail.com

District/off: 0315-1

User: auto

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Gary V. Skiba

on behalf of Plaintiff Victoria E. Zabrosky gskiba@marshlaw.com DGeniesse@marshlaw.com;rose227@hotmail.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 8